

FILED

2008 JUN -6 PM 2:34

1 YOUR NAME
2 YOUR ADDRESS
3 YOUR TELEPHONE NUMBER

Mark Scott

P.O. Box 181936 Coronado, CA 92178

619 370 7575

CM

DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(Must start on line 8 or below)

Mark Scott

-v-
Vessel
Orion

'08 CV 1016 JM BLM

Case No.
(To be assigned at time of filing)

COMPLAINT FOR (Brief description of document)

Plaintiff alleges:

See Attached Cover letter.

I provided services for Commercial Vessel Orion under believe I would charter passengers on fishing trips in Mexican waters for hire.

Mark Scott 6.6.08

CR

June 6, 2008

The last week of March and 1st week of April of 2008 under my Merchant Mariners license for Dave Hammel for the purpose of securing 6 pack passenger certificate, and purported to take passengers fishing in Mexican waters did perform the following duties for vessel "Orion".

Dave Hammel ask for and got the following:

1. Resume
2. Copy of Captains license
3. letter of reference of previous boatowners I did service for.

I carried out the following duties:

- * Inspected boat and listed items to correct for coast guard inspection
- * Called Fish and Game; City Hall and Dept of transportation on cost and obtainment of permits for Orion
- * Noted Engine and Generator defects and went to Shelter Island Marine Engine outlets for parts and costs
- * Got rush drug screen required of me by Coast Guard inspection
- * First Saturday of April made small voyage to shelter Island police dock with Mr. Hammel and friend of his named Walter, was nice day and was nice trip.
- * Made Inspection date with Coast Guard, and I was present and submitted Mariners license and drug screen to Volunteer C.G. Inspector Walli Berri; who listed some changes and would revisit vessel Orion.

My presence made the inspection possible; Dave Hammel held the final Inspection and hours after the sticker was attached told me bye and have a nice day.

continued:

Mark Scott

I told Dave Hammel I would submit a bill for my serviced. I was told we had no agreement. I mailed Mr Hammel a bill of 1,600 dollars I derived at 200 dollars per day for eight days of service and placed lein on vessel Orion for that amount.

I got the impression that Mr. Hammel has a flippant attitude towards the rules and purpose of having licesened personnel and the respect of laws for vessels at sea.

This court filing is against the vessel Orion that the lein might be upheld by seizure and padlock the vessel where she sits by U.S. marshalls.

Thank you
Mark Scott

1. secures with the
overboard valve

2. Mast to
anchor let fix

reads almanac
notice to mariners
current.

emergency back off
alcohol packets

March MIS report

~~Insurance~~
Insurance Wendy
Dove Hammel Ban
Blumenthal 2287
830 Orange st J2
619 435 6534
Boat "Orion" Fishing
his friend Henry
at Mariners Den
619 226 8661

also Ron Bullard
Yachtfinders Brokers
delivery trips
Bishop 686 6277
800 333 4636 info

Port Auth
619 686 6200
~~619 686 6200~~

571 5723

Coast Guard Inspection
Al Gale 278-7247
Wally Berry 278-7248
August 278-7249

California Yacht
101 Shipyard Way Calver
New Port Beach Ca
92663

Fax 949 675 1580

Pawnetta

4.12	15.	135	750
4.25	33.	84	440
4.21	27.	219	340
4020	9.		50
			260

84.00

400 716 0570

"No Thufs."

inspection Dove

4922 n Harbor Dr
Ducies Wharf
No 8 pier
Orion
Tues 10 AM
1975 42

California Marshall

25 PEN
Santa Anita Boat
P.O. Box 1000
4242 Santa Anita
Borg Warner Flood
183 hrs Perkins
tupbo

Ben 7.5 kilowatt

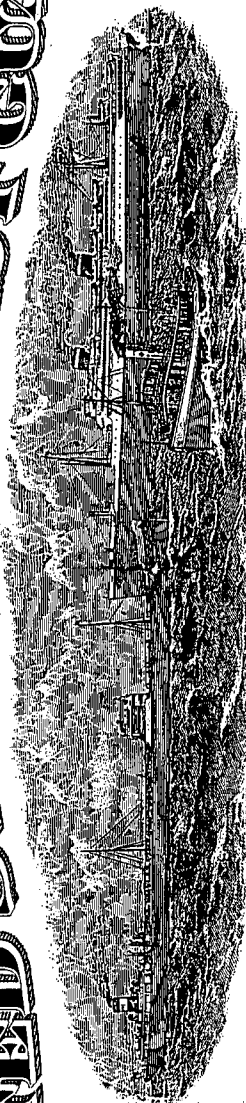
On an 120.00

SERIAL NUMBER

1045074

ISSUE NUMBER 6

UNITED STATES COAST GUARD



U.S. MERCHANT MARINE OFFICER

This is to certify that

*** MARK PLEASANT SCOTT ***

*having been duly examined and found competent by the undersigned is licensed to serve
for the term of five years from the below issue date as:*

MASTER OF STEAM OR MOTOR VESSELS OF NOT MORE THAN 100 GROSS TONS UPON NEAR
COASTAL WATERS; ALSO, MASTER OF TOWING VESSELS UPON OCEANS. - "SEE REVERSE"

Given under my hand this 07th day of October, 2003

E. L. WOODSON, SENIOR LIEUTENANT
OFFICER IN CHARGE, MARINE INSPECTION

ISSUE PORT: LONG BEACH, CA
EXPIRATION DATE: OCTOBER 20, 2008

Quest
Diagnostics®QUEST DIAGNOSTICS INCORPORATED
CLIENT SERVICE 800.877.2515SPECIMEN INFORMATION
SPECIMEN: EN351368Y
REQUISITION: 8201705COLLECTED: 03/20/2008 10:00 PT
RECEIVED: 03/21/2008 23:30 PT
REPORTED: 03/22/2008 08:08 PTPATIENT INFORMATION
SCOTT, MARKDOB: 09/24/1955 AGE: 52
GENDER: M FASTING: UID: 805188302
PHONE:REPORT STATUS **FINAL**ORDERING PHYSICIAN
GINN, KATHRYN LCLIENT INFORMATION
W92101081 SD015280
CC-COMPREHENSIVE HLTH CENTER
SAN DIEGO RESCUE MISSION
120 ELM ST FL 1
SAN DIEGO, CA 92101-2602

Test Name	In Range	Out of Range	Reference Range	Lab
DRUG ABUSE PANEL 10-50				EN

* THESE RESULTS ARE FOR MEDICAL TREATMENT ONLY *

* ANALYSIS WAS PERFORMED AS NON-FORENSIC TESTING *

AMPHETAMINES	
(1000 ng/mL SCREEN)	NEGATIVE
BARBITURATES	NEGATIVE
BENZODIAZEPINES	NEGATIVE
COCAINE METABOLITES	NEGATIVE
MARIJUANA METABOLITES	
(50 ng/mL SCREEN)	NEGATIVE
METHADONE	NEGATIVE
METHAQUALONE	NEGATIVE
OPIATES	NEGATIVE
PHENCYCLIDINE	NEGATIVE
PROPOXYPHENE	NEGATIVE
	* Reference footnote 1

Footnote 1

THE SUBMITTED URINE SPECIMEN WAS TESTED AT THE LISTED CUTOFFS AND
CONFIRMED BY A SECOND INDEPENDENT CHEMICAL METHOD.

DRUG CLASS	INITIAL TEST LEVEL
AMPHETAMINES	1000 ng/mL
BARBITURATES	300 ng/mL
BENZODIAZEPINES	300 ng/mL
COCAINE METABOLITES	300 ng/mL
MARIJUANA METABOLITES	50 ng/mL
METHADONE	300 ng/mL
METHAQUALONE	300 ng/mL
OPIATES	300 ng/mL
PHENCYCLIDINE	25 ng/mL
PROPOXYPHENE	300 ng/mL

SCOTT, MARK - EN351368Y

Page 1 - Continued on Page 2



QUEST DIAGNOSTICS INCORPORATED

PATIENT INFORMATION
SCOTT, MARK

REPORT STATUS **FINAL**

ORDERING PHYSICIAN
GINN, KATHRYN L

COLLECTED: 03/20/2008 10:00 PT
REPORTED: 03/22/2008 08:08 PT

DOB: 09/24/1955 AGE: 52
GENDER: M FASTING: U
ID: 805188302

Test Name	In Range	Out of Range	Reference Range	Lab
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PERFORMING LABORATORY INFORMATION

QUEST DIAGNOSTICS-WEST HILLS, 8401 FALLBROOK AVENUE, WEST HILLS, CA 91304-3226, Laboratory Director: KENNETH L SISCO, MD
CLIA: 05D0642827

DUPLICATE REPORT WILL BE SENT TO:

COMPREHENSIVE HEALTH CENTER
SAN DIEGO RESCUE MISSION
120 ELM ST FL 1
SAN DIEGO, CA 92101-2602

SCOTT, MARK - EN351368Y

Page 2 - End of Report

Document Type: CLAIM_OF_LIEN
 Batch Number: 635958
 Document ID: 8791897
 User ID: SCANNER5
 Filed Date/Time: 28-APR-2008 06:46 PM

CLAIM OF LIEN

Name of Claimant: Mark P. Scott
 Address of Claimant: P.O. Box 181936
 Coronado, CA 92178

In accordance with USC Title 46, Chapter 313-25, the above named person(s) hereby claim(s) a Maritime lien against the following vessel:

Name of Vessel: ORION
 Official Number: 1048577
 Nature of Claim: LABOR
 Date of Creation: 3/28/2008
 Amount of Claim: \$1,600.00
 Dated: 4/24/2008

By: Mark P. Scott
 Mark P. Scott

ALL PURPOSE ACKNOWLEDGMENT

State of: California
 County of: San Diego

On 4-24-08, 2008 before me, KAREN L. WILLIAMS, personally appeared Mark P. Scott who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS MY HAND AND OFFICIAL SEAL.

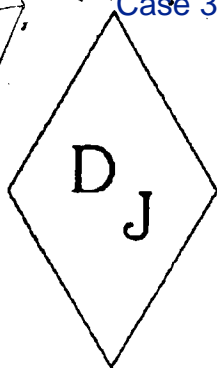
Karen L. Williams
 Signature of Notary

Commission Expires: _____

CAPACITY CLAIMED BY SIGNER:

() Individual () Partner(s) () Subscribing Witness
 () Corporate Officer(s) () Attorney-In-Fact () Guardian/Conservator
 () Trustee(s) () Other _____
 title(s)





Dona Jenkins

MARITIME DOCUMENT SERVICE, INC.

1050 Rosecrans Street, Suite 3

San Diego, CA 92106

Phone (619) 223-2279

Fax (619) 223-1002

e-Mail: Info@donajenkins.com

INVOICE

Mark P. Scott
P.O. Box 181936
Coronado, CA 92178

No. 32050

April 24, 2008

RE: ORION

Vessel No: Official # 1048577

Claim of Lien (Dona Jenkins fee and Coast Guard fee) 215.00

Subtotal 215.00

TOTAL \$215.00

Paul \$115.00 cash
\$100 - due
Paid in full 5/2/08





United States Coast Guard Maritime Information eXchange Port State Information eXchange

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[Contact Us](#)
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The Port State Information eXchange (PSIX) system contains vessel specific information derived from the United States Coast Guard's Marine Information Safety and Law Enforcement System (MISLE). The information contained in PSIX represents a weekly snapshot of Freedom of Information Act (FOIA) data on U.S. flag vessels, foreign vessels operating in U.S. waters, and Coast Guard contacts with those vessels. Information on unclosed cases or cases pending further action is considered privileged information and is precluded from the PSIX system.

Results for Vessel: **ORION**

Vessel Information:

Vessel Name: ORION
VIN: 1048577
Hull Number:
Vessel Flag: UNITED STATES
Vessel Call Sign:
Build Year: 1975

Vessel Particulars:

Service: Passenger (Uninspected)
Length: 41.3 ft
Breadth: 13.7 ft
Depth: 3.3 ft
Alternate VINs: 1048577,
IMO Number:

Service Information:

Service: In Service
Out Of Service Date: N/A
Last Removed From Service By: N/A

Tonnage Information:

Deadweight:
Gross Tonnage(GRT): 12
Net Tonnage(NRT): 10
Gross Tonnage(GT ITC):
Cargo Authority:

Featured Links

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[Vessel/Facility Security](#)
[Plan Review Status](#)
[PSIX FAQ/Help](#)
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Vessel Documents and Certifications

Document	Agency	Date Issued	Expiration Date
CERTIFICATE OF DOCUMENTATION	USCG	July 12, 2007	August 31, 2008

Summary of Coast Guard Contacts

View Data From (MM/DD/YYYY): 4/24/2003	To: 4/24/2008	<input type="button" value="Submit"/>
Back to Top		

[Printer Friendly Version](#)

Last Update:
Monday, April 21, 2008

4-24-08

Coast Guard Vessel Documentation

confirmed

August 21, 2008

Data found in current database.

Vessel Name:	ORION	USCG Doc. No.:	1048577
Vessel Service:	COMMERCIAL FISHING VESSEL	IMO Number:	*
Trade Indicator:	Coastwise Unrestricted, Registry	Call Sign:	*
Hull Material:	FRP (FIBERGLASS)	Hull Number:	JCMO42421075
Ship Builder:	MARSHALL BOAT COMPANY	Year Built:	1975
		Length (ft.):	41.3
Hailing Port:	SAN DIEGO CA	Hull Depth (ft.):	3.3
Owner:	ORION FISH BOAT COMPANY LLC 830 ORANGE AVE J-2 CORONADO, CA 92118	Hull Breadth (ft.):	13.7
		Gross Tonnage:	12
		Net Tonnage:	10
Previous Vessel Names:	WILDFIRE	Previous Vessel Owners:	BRUCE E MURPHY

April 24, 2008

Capt. Mark P. Scott
PO Box 181936
Coronado, Ca. 92178

Mr. Dave Hammer

You are being billed for research
input and personal attendance and
acting on behalf and interest of
motor vessel Orion Doc. # 1048577
in obtaining Coast Guard Cert.
as Captain.

TOTAL DUE 1600.00

Sincerely,
Mark P. Scott

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Mark Scott

(b) County of Residence of First Listed Plaintiff San Diego Co
(EXCEPT IN U.S. PLAINTIFF CASES)

Pro-se

PO Box 181936 Colorado Ca

(c) Attorney's (Firm Name, Address, and Telephone Number)

92178

DEFENDANTS

Vessel Orion // Defendant M.S.

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

'08 CV 1016 JM BLM

CNA

DEPUTY

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

☐ 1 U.S. Government Plaintiff☐ 3 Federal Question (U.S. Government Not a Party)☐ 2 U.S. Government Defendant☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Citizen of This State

☒ 1 PTF ☒ 1 DEF

Incorporated or Principal Place of Business in This State

☐ 4 PTF ☒ 4 DEF

Citizen of Another State

☐ 2 ☐ 2

Incorporated and Principal Place of Business in Another State

☐ 5 ☐ 5

Citizen or Subject of a Foreign Country

☐ 3 ☐ 3

Foreign Nation

☐ 6 ☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage - Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input checked="" type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395h) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7619	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 910 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition				

V. ORIGIN

(Place an "X" in One Box Only)

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing. (Do not cite jurisdictional statutes unless diversity):

Maritime Law USC 1107

Brief description of cause:

Failure to pay maritime of services commercial vessel

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S)

IF ANY

NONE

JUDGE

DOCKET NUMBER

DATE

6-6-08

SIGNATURE OF ATTORNEY OF RECORD

Mark Scott

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE